

Friday, June 27, 1997

Daily Digest

HIGHLIGHTS

Senate passed Revenue Reconciliation.

Senate

Chamber Action

Routine Proceedings, pages S6669–S6873

Measures Introduced: Eleven bills and six resolutions were introduced, as follows: S. 975–985, S.J. Res. 32–34, S. Res. 104 and 105, and S. Con. Res. 35.

Pages S6727–28

Measures Reported: Reports were made as follows:

S. 621, to repeal the Public Utility Holding Company Act of 1935, to enact the Public Utility Holding Company Act of 1997, with amendments. (S. Rept. No. 105–41)

Page S6727

Measures Passed:

Revenue Reconciliation: By 80 yeas to 18 nays (Vote No. 160), Senate passed H.R. 2014, to provide for reconciliation pursuant to subsections (b) (2) and (d) of section 105 of the concurrent resolution on the budget for fiscal year 1998, after striking all after the enacting clause and inserting in lieu thereof the text of S. 949, as amended, and after taking action on further amendments/motions proposed thereto:

Pages S6670–S6720, S6786, S6792

Adopted:

By a unanimous vote of 98 yeas (Vote No. 138). Nickles Modified Amendment No. 551, to provide for an increase in deduction for health insurance costs of self-employed individuals, and to modify rules for allocating interest expense to tax-exempt interest.

Page S6670

By 98 yeas to 2 nays (Vote No. 141), Domenici/Lautenberg Amendment No. 537, to implement the enforcement provisions of the Bipartisan Budget Agreement, enforce the Balanced Budget Act of 1997, extend the Budget Enforcement Act of 1990 through fiscal year 2002, and make technical and conforming changes to the Congressional Budget and Impoundment Control Act of 1974 and the Balanced Budget and Emergency Deficit Control Act of 1985.

Pages S6670, S6672–73

Biden Amendment No. 539 (to Amendment No. 537), to provide for the transfer of funds from the general fund to the Violent Crime Reduction Trust Fund.

Pages S6670, S6672

Subsequently, a motion to waive the Congressional Budget Act with respect to consideration of Amendment No. 537, listed above, was agreed to by unanimous-consent.

Page S6673

By 92 yeas to 8 nays (Vote No. 148), Byrd Amendment No. 572, to extend the number of hours for debate on a reconciliation bill and make other improvements.

Pages S6680–81

Jeffords Modified Amendment No. 522, to provide for a trust fund for District of Columbia school renovations.

Pages S6670, S6681–82

By 59 yeas to 41 nays (Vote No. 150), Coverdell Amendment No. 574, to allow tax-free expenditures from an education individual retirement account for elementary and secondary school expenses and to adjust the modifications to the minimum tax.

Pages S6683–84

Kohl Amendment No. 575, to provide a credit against tax for employers who provide child care assistance for dependents of their employees.

Page S6685

Torricelli/Landrieu Amendment No. 578, to exclude certain severance payment amounts from income and to modify the time periods for carryback and carryforward of unused credits.

Pages S6686–87

Roth (for Graham) Amendment No. 583, relating to the exception of certain coins, the increase in certain liability funding limit, and to classify certain ministers for participation.

Pages S6393–96

Roth (for Nickles/Bond) Amendment No. 584, to express the sense of the Senate with respect to the proposed regulations of the Internal Revenue Service with respect to self-employment income for limited partners.

Pages S6393–96

Roth (for Specter) Amendment No. 585, to allow penalty-free IRA withdrawals for adoption expenses.

Pages S6393–96

Roth (for Faircloth) Amendment No. 586, to permit the current refunding of certain tax-exempt bonds.

Pages S6393-96

Roth (for Gorton) Amendment No. 587, relating to repeal of bad debt reserve method for thrift savings associations.

Pages S6393-96

Roth (for Santorum) Amendment No. 588, to express the sense of the Senate that America's middle-class taxpayers shoulder the biggest tax burden and that only those who pay Federal income taxes should benefit from the federal income tax cuts contained in the Revenue Reconciliation Act of 1997.

Pages S6393-96

Roth (for Burns) Amendment No. 589, to allow farmers to income average over 3 years.

Pages S6393-96

Roth (for Enzi) Amendment No. 591, to allow non-Amtrak states to provide alternative intercity transport assistance.

Pages S6696-97

Wellstone Amendment No. 592, to provide for full mental health parity with respect to health plans purchased through the use of amounts provided under a block grant to States.

Rejected:

By 46 yeas to 54 nays (Vote No. 139), Gramm Amendment No. 552, to allow families to decide for themselves how best to use their child tax credit.

Pages S6670-71

By 33 yeas to 67 nays (Vote No. 151), Bingaman Amendment No. 541, to strike provisions establishing IRA Plus Accounts.

Page S6684

Moseley-Braun Amendment No. 581, to provide for a tax credit for public elementary and secondary school construction.

Pages S6688-89

By 30 yeas to 69 nays (Vote No. 155), McCain Amendment No. 548, to strike the provision relating to the extension and modification of subsidies for alcohol fuels.

Pages S6689-90

By 41 yeas to 57 nays (Vote No. 159), Allard Amendment No. 577, to provide for the indexing of assets to determine capital gain.

Page S6696

Wellstone Amendment No. 590, to make the HOPE credit refundable.

Page S6696

Withdrawn:

Dorgan Amendment No. 515, to authorize the Secretary of the Treasury to abate the accrual of interest on income tax underpayments by taxpayers located in Presidentially declared disaster areas if the Secretary extends the time for filing returns and payment of tax (and waives any penalties relating to the failure to so file or so pay) for such taxpayers.

Pages S6670, S6684-85

Dorgan Amendment No. 516, to provide tax relief for taxpayers located in Presidentially declared disaster areas.

Pages S6670, S6684-85

During consideration of this measure today, Senate also took the following action:

By 39 yeas to 60 nays (Vote No. 140), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Kerry Amendment No. 554, to allow payroll taxes to be included in the calculation of tax liability for receiving the children's tax credit. Subsequently, a point of order that the amendment was in violation of section 302(b) of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S6670-72

By 37 yeas to 63 nays (Vote No. 142), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Gramm Amendment No. 566, to guarantee a balanced Federal budget and expand tax relief options. Subsequently, a point of order that the amendment was in violation of section 313(b)(1)(A) of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S6673-74

By 48 yeas to 52 nays (Vote No. 143), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Bumpers Amendment No. 568, to prohibit the scoring, for budget purposes, of revenues associated with the sale of certain federal lands. Subsequently, a point of order that the amendment was in violation of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S6674-75

By 42 yeas to 58 nays (Vote No. 144), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Craig Amendment No. 569, to modify the pay-as-you-go requirement of the budget process to prohibit the use of tax increases to pay for mandatory spending increases. Subsequently, a point of order that the amendment was in violation of section 313(b)(1)(A) of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S6675-76

By 57 yeas to 43 nays (Vote No. 145), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Brownback/Kohl Amendment No. 570, to establish procedures to ensure a balanced Federal budget by fiscal year 2002. Subsequently, a point of order that the amendment was in violation

of section 313(b)(1)(A) of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S6676–77

By 59 yeas to 41 nays (Vote No. 146) three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Frist Amendment No. 571, to establish a 60 vote point of order against any legislation that increases the budget deficit after the year 2002 and to require the President to submit balanced budgets. Subsequently, a point of order that the amendment was in violation of section 313(b)(1)(A) of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S6677–78

By 53 yeas to 47 nays (Vote No. 147), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Abraham Amendment No. 538, to ensure that future revenue windfalls to the federal Treasury are reserved for tax or deficit reduction. Subsequently, a point of order that the amendment was in violation of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S6678–80

By 30 yeas to 70 nays (Vote No. 149), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Kennedy/Daschle Amendment No. 573, to increase the excise tax on cigarettes by 43 cents per pack and increase the tax on other tobacco products by a proportionate amount, and direct \$12,000,000,000 of the resulting revenues be applied to the children's health initiative. Subsequently, a point of order that the amendment was in violation section 302(f) of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S6682–83

By 72 yeas to 28 nays (Vote No. 152), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to a motion to waive the Congressional Budget Act with respect to consideration of Kohl Amendment No. 575, listed above.

Page S6685

By 57 yeas to 42 nays (Vote No. 153), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Jeffords Amendment No. 555, to encourage improvements in child care services and options for meeting employment-related child care needs. Subsequently, a point of order that the amendment was in violation of the Congressional

Budget Act was sustained, and the amendment thus fell.

Pages S6685–86

By 51 yeas to 48 nays (Vote No. 154), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Harkin Amendment No. 579, to improve health care quality and reduce health care costs by establishing a National Fund for Health Research that would significantly expand the nation's investment in medical research. Subsequently, a point of order that the amendment was in violation of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S6687–88

By 39 yeas to 59 nays (Vote No. 156), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Landrieu Amendment No. 532, to allow taxpayers with income tax liability to take the child tax credit before the earned income tax credit. Subsequently, a point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act was sustained, and the amendment thus fell.

Pages S6690–91

By 77 yeas to 21 nays (Vote No. 157), three-fifths of those Senators duly chosen and sworn having voted in the affirmative, Senate agreed to a motion to waive the Congressional Budget Act with respect to consideration of section 702(d) of the bill, regarding intercity passenger rail funding.

Pages S6691–93

By 37 yeas to 61 nays (Vote No. 158), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive the Congressional Budget Act with respect to consideration of Feingold/Bumpers Amendment No. 582, to eliminate the percentage depletion allowance for certain minerals. Subsequently, a point of order that the amendment was in violation of section 305(b)(2) of the Congressional Budget Act was sustained, and the amendment thus fell.

Page S6693

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair appointed the following conferees: from the Committee on Finance: Senators Roth, Lott, and Moynihan; and from the Committee on the Budget: Senators Domenici, Grassley, Nickles, Lautenberg, and Conrad.

Page S6786

Subsequently, S. 946 was returned to the Senate calendar.

Page S6792

Law Enforcement Canines Donation: Senate passed H.R. 173, to amend the Federal Property and Administrative Services Act of 1949 to authorize donation of Federal law enforcement canines that are no longer needed for official purposes to individuals with experience handling canines in the performance

of law enforcement duties, clearing the measure for the President. **Page S6788**

Energy Conservation Extension: Senate passed S. 417, to extend energy conservation programs under the Energy Policy and Conservation Act through September 30, 2002, after agreeing to a committee amendment in the nature of a substitute.

Pages S6788–90

DOE Standardization Act: Senate passed H.R. 649, to amend sections of the Department of Energy Organization Act that are obsolete or inconsistent with other statutes and to repeal a related section of the Federal Energy Administration Act of 1974, clearing the measure for the President. **Page S6790**

Hong Kong Transition: Senate agreed to S. Res. 105, expressing the sense of the Senate that the people of the United States wish the people of Hong Kong good fortune as they embark on their historic transition of sovereignty from Great Britain to the People's Republic of China. **Page S6790**

DOD Authorization—Cloture Motion Filed: A motion was entered to close further debate on S. 936, to authorize appropriations for fiscal year 1998 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and to prescribe personnel strengths for such fiscal year for the Armed Forces and, by unanimous-consent agreement, a vote on the cloture motion will occur on Tuesday, July 8, 1997, at 2:15 p.m. **Page S6786**

Budget Reconciliation—Conferees: Senate insisted on its amendment to H.R. 2015, to provide for reconciliation pursuant to subsections (b)(1) and (c) of section 105 of the concurrent resolution on the budget for fiscal year 1998, requested a conference with the House thereon, and the Chair appointed the following conferees: from the Committee on the Budget—Senators Domenici, Grassley, Nickles, Gramm, Lautenberg, Conrad, and Boxer; from the Committee on Agriculture, Nutrition and Forestry—Senators Lugar, Helms, and Harkin; from the Committee on Banking, Housing, and Urban Affairs—Senators D'Amato, Shelby, and Sarbanes; from the Committee on Commerce, Science, and Transportation—Senators McCain, Stevens, and Hollings; from the Committee on Energy and Natural Re-

sources—Senators Murkowski, Craig, and Bumpers; from the Committee on Finance—Senators Roth, Lott, and Moynihan; from the Committee on Governmental Affairs—Senators Thompson, Collins, and Glenn; from the Committee on Labor and Human Resources—Senators Jeffords, Coats, and Kennedy; and from the Committee on Veterans' Affairs—Senators Specter, Thurmond, and Rockefeller.

Pages S6786–87

Committee Authority: All committees were authorized to file executive and legislative reports during the adjournment of the Senate on Tuesday, July 1, 1997, from 10 a.m. until 2 p.m. **Page S6790**

Appointments:

Advisory Committee on the Records of Congress: The Chair announced, on behalf of the Secretary of the Senate, pursuant to Public Law 101–509, his appointment of James F. Blumstein, of Tennessee, to the Advisory Committee on the Records of Congress.

Page S6724

Nominations Confirmed: Senate confirmed the following nominations:

Richard J. Tarplin, of New York, to be an Assistant Secretary of Health and Human Services.

Alan S. Gold, of Florida, to be United States District Judge for the Southern District of Florida.

Kathryn O'Leary Higgins, of South Dakota, to be Deputy Secretary of Labor.

1 Air Force nomination in the rank of general.

60 Army nominations in the rank of general.

2 Marine Corps nominations in the rank of general.

25 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps, Navy. **Pages S6787–88**

Nominations Received: Senate received the following nominations:

James S. Ware, of California, to be United States Circuit Judge for the Ninth Circuit.

Nancy-Ann Minn Deparle, of Tennessee, to be Administrator of the Health Care Financing Administration.

David A. Lipton, of Massachusetts, to be an Under Secretary of the Treasury.

Routine lists in the Army, Marine Corps.

Pages S6792–93

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Additional Statements: Pages S6777–86
Record Votes: Twenty-three record votes were taken today. (Total—160)
 Pages S6670–81, S6683–86, S6688, S6690–93, S6696, S6719

Adjournment: Senate convened at 9 a.m. and, pursuant to H. Con. Res. 108, adjourned at 6:56 p.m., until 12 noon, on Monday, July 7, 1997.

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Governmental Affairs: Committee met to discuss matters with regard to the committee's special investigation on campaign financing.

Committee recessed subject to call.

House of Representatives

Chamber Action

The House was not in session today. Pursuant to the provisions of H. Con. Res. 108, the House stands adjourned until 12:30 p.m. on Tuesday, July 8.

Committee Meetings

No committee meetings were held.

Next Meeting of the SENATE

12 noon, Monday, July 7

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Tuesday, July 8

Senate Chamber

Program for Monday: Senate will resume consideration of S. 936, DOD Authorizations.

House Chamber

Program for Tuesday: To be announced.

Extensions of Remarks, as inserted in this issue

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